

RESOLUTION NO. A-_____

1 WHEREAS, Union College has requested a waiver of the surfacing
2 requirements for a student parking lot on property generally located at S. 51st Street
3 and Bancroft Avenue and legally described as:

4 All of Block 1 and all of Block 14, College View Addition,
5 located in Section 5, Township 9 North, Range 7 East,
6 Lancaster County, Nebraska;

7 WHEREAS, the City Council finds that:

8 a. The parking lot for which the waiver of the surfacing requirement is
9 requested is to be used in conjunction with a nonprofit institution;

10 b. Alternate materials or techniques shall be utilized which provide
11 reasonable control of dust, runoff, and safe circulation; and

12 c. The location of the parking lot is sufficient distance from
13 surrounding uses that it will not adversely affect the surrounding uses, and the
14 frequency of use of the parking lot is so low that compliance with the surfacing
15 requirements at the present time would cause undue economic hardship upon the
16 owner as compared with minimal impact upon the surrounding land uses.

17 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
18 Lincoln, Nebraska:

19 In consideration of the findings made above, the requirement for the
20 paving of the parking lot for Union College located at S. 51st Street and Bancroft
21 Avenue on property legally described above is hereby waived pursuant to §
22 27.67.100(c) of the Lincoln Municipal Code under the following conditions:

1 1. The driveway approach must be paved with concrete from the curb
2 line to the property line to prevent mud, rock or gravel being deposited in the streets
3 adjacent to the parking lot.

4 2. The applicant is responsible for controlling off-site dust emissions
5 from the parking lot by using crushed rock and watering down the surface when
6 necessary.

7 3. If it is later found that dust or noise, created by the use of the
8 parking lot exceeds the maximum levels set forth in Title 8 of the Lincoln Municipal
9 Code, then such waiver may, after notice and hearing by the City Council, be revoked,
10 and thereafter the use of the parking lot shall cease unless surfaced in accordance with
11 design standards.

12 4. This resolution's terms, conditions, and requirements bind and
13 obligate the permittee, its successors and assigns.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2004:

Mayor